

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
TYLER DIVISION**

GREGORY C REED,

Petitioner,

v.

DIRECTOR, TDCJ-CID,

Respondent.

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Case No. 6:20-CV-32-JDK-JDL

**ORDER ADOPTING REPORT AND RECOMMENDATION
OF UNITED STATES MAGISTRATE JUDGE**

Petitioner Gregory C Reed, an inmate proceeding *pro se*, filed the above-styled and numbered petition for writ of habeas corpus. The case was referred to United States Magistrate Judge John D. Love pursuant to 28 U.S.C. § 636. On April 30, 2020, the Magistrate Judge issued a Report and Recommendation (Docket No. 18), recommending that the petition be dismissed because Petitioner had not shown that a protected liberty interest was at stake. *Id.* at 3–5. Petitioner filed objections on May 15, 2020. Docket No. 20.

The Court overrules Petitioner’s objections. Petitioner argues that he has shown that a protected liberty interest is at stake because he was reduced in line class and lost ninety days of good time. *Id.* at 1–2. However, as the Magistrate Judge properly concluded, Petitioner does not have a protected liberty interest “in a particular custodial classification.” *Salinas v. Davis*, No. 2:18-CV-00294, 2019 WL 2569942, at *3 (S.D. Tex. Jan. 11, 2019); *see Luken v. Scott*, 71 F.3d 192, 193–94 (5th Cir. 1995). And Petitioner does not have a protected liberty interest in the loss of his good-time days because he is a life-sentenced inmate in Texas and therefore not eligible for


mandatory supervised release. *See Arnold v. Cockrell*, 306 F.3d 277, 279 (5th Cir. 2002); *Wade v. Quarterman*, No. H-08-2071, 2009 WL 2591246, at *3 (S.D. Tex. Aug. 19, 2009).

This Court has conducted a careful *de novo* review of the record and the Magistrate Judge's proposed findings and recommendations. *See* 28 U.S.C. § 636(b)(1) (the district judge shall "make a *de novo* determination of those portions of the report or specified proposed findings or recommendations to which objection is made."). Having made a *de novo* review of the objections raised by Petitioner to the Magistrate Judge's Report, the Court is of the opinion that the findings and conclusions of the Magistrate Judge are correct and Petitioner's objections are without merit. The Court therefore adopts the findings and conclusions of the Magistrate Judge as the findings and conclusions of the Court.

Accordingly, it is hereby **ORDERED** that the Report and Recommendation (Docket No. 18) be **ADOPTED**. It is further

ORDERED that the petition for a writ of habeas corpus is **DISMISSED WITH PREJUDICE**. A certificate of appealability is **DENIED**.

So **ORDERED** and **SIGNED** this **20th** day of **May, 2020**.


JEREMY D. KERNODLE
UNITED STATES DISTRICT JUDGE